



**US Army Corps  
of Engineers**  
Huntington District

# Public Notice

In reply refer to:

Issuance Date:

**Public Notice No. 199700982**

**February 4, 2004**

Stream:

Expiration Date:

**Ohio River**

**March 5, 2004**

Address comments to:

**US Army Corps of Engineers, Huntington District**

**602 Eighth Street**

**ATTN: CELRHF**

**Huntington, West Virginia 26701-2070**

## PUBLIC NOTICE

**TO WHOM IT MAY CONCERN:** The following application has been submitted for a Department of the Army Permit under the provisions of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the West Virginia Division of Environmental Protection Agency to act on Section 401 Water Quality Certification for the following application.

**APPLICANT:** Martin Marietta Materials, Inc.  
Post Office Box 30013  
Raleigh, NC 27622

**LOCATION:** The proposed project is located at 13 locations in the Ohio River between 231.5 and 313.2 miles below Pittsburgh, Pennsylvania, between Millwood and Huntington, West Virginia. The 13 locations are described in the table below:

<b>Site Number</b>	<b>Location (Mile Points)</b>	<b>Nearest Community</b>	<b>County, WV</b>
1	231.5 to 233.0	Millwood	Jackson
2	241.0 to 243.3	Letart	Mason
3	255.5 to 259.0	Grahams Station	Mason
4	259.0 to 260.5	York Station	Mason
5	263.0 to 264.3	Point Pleasant	Mason
6	267.0 to 270.0	Henderson	Mason
7	274.0 to 277.0	Ben Lomond	Mason
8	295.0 to 300.0	Lesage	Cabell
9	300.0 to 300.5	Lesage	Cabell
10	301.0 to 303.3	Guyandot	Cabell
11	304.0 to 305.0	Guyandot	Cabell
12	307.0 to 309.0	Huntington	Cabell
13	309.0 to 313.2	Huntington	Cabell

**DESCRIPTION:** The applicant proposes to dredge sand and gravel from the Ohio River for commercial sale. The applicant currently has a Department of the Army Permit for the proposed activity that expires December 31, 2004. The project, if permitted, would be permitted for a period of five years. Dredging would be accomplished using a diesel powered, suction dredge measuring 150-feet in length by 45-feet in width. The dredge cutter head operates at varying

depths ranging from 30 feet to 40 feet below the water level and would be capable of dredging sand and gravel from the river's bed at a rate of 300 tons per hour. The proposed operation would produce approximately one million tons of sand and gravel annually for commercial sale. The dredge would be transported by towboat and would be positioned with the aid of anchors and cables. The dredged material, a slurry consisting of sand and gravel less than six inches in diameter, would be conveyed to the dredge through a 18-inch suction pipe. Four classifications of aggregate would be produced by this dredge. The dredged material would be processed and separated into different sized materials to create varying product mixes for commercial distribution. The product mixes would then be loaded individually into four barges, two positioned on each side of the dredge and transported to distribution yards along the river for commercial distribution. Processed water would then be returned to the river through a pipe. The dredge would normally be operated 20 hours a day, 6 days a week, between March and December. Major repairs and overhaul work are performed in January and February. During the off hours, the dredge, including empty barges, would be anchored by standard cables and anchors on-site outside of the navigation channel.

Plans of the proposed work are attached to this notice.

**WATER QUALITY CERTIFICATION:** A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain certification from the West Virginia Department of Environmental Protection.

**HISTORIC AND CULTURAL RESOURCES:** The National Register of Historic Places has been consulted and it has been determined there are no properties currently listed on the register that are in the area affected by the project. A copy of this public notice will be sent to the State Historic Preservation Office for their review. Comments concerning archeological sensitivity of a project area should be based upon collected data.

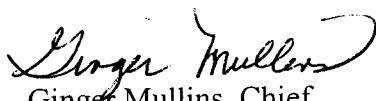
**ENDANGERED/THREATENED SPECIES REVIEW:** The Huntington District has consulted the most recently available information and has determined the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species, which has been determined to be critical. This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

**PUBLIC INTEREST REVIEW AND COMMENT:** Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity.

Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If you have any questions concerning this public notice, please call Mrs. Teresa Spagna of the South Regulatory Section at 304-399-5710.

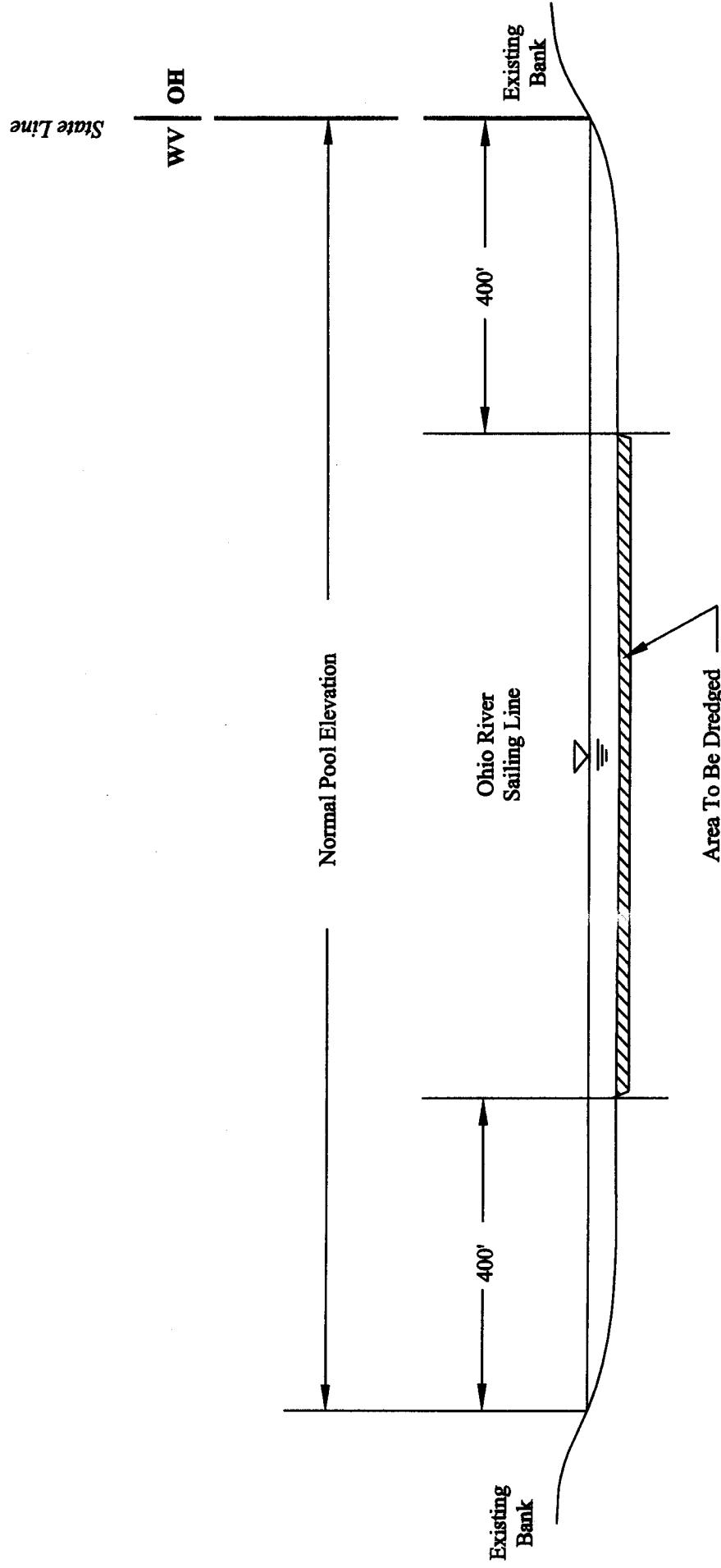


Ginger Mullins  
Ginger Mullins, Chief  
Regulatory Branch

(W, O)

# TYPICAL CROSS SECTION

1" = 200'



COE Permit No. 199700982  
Valid Through 12/31/04

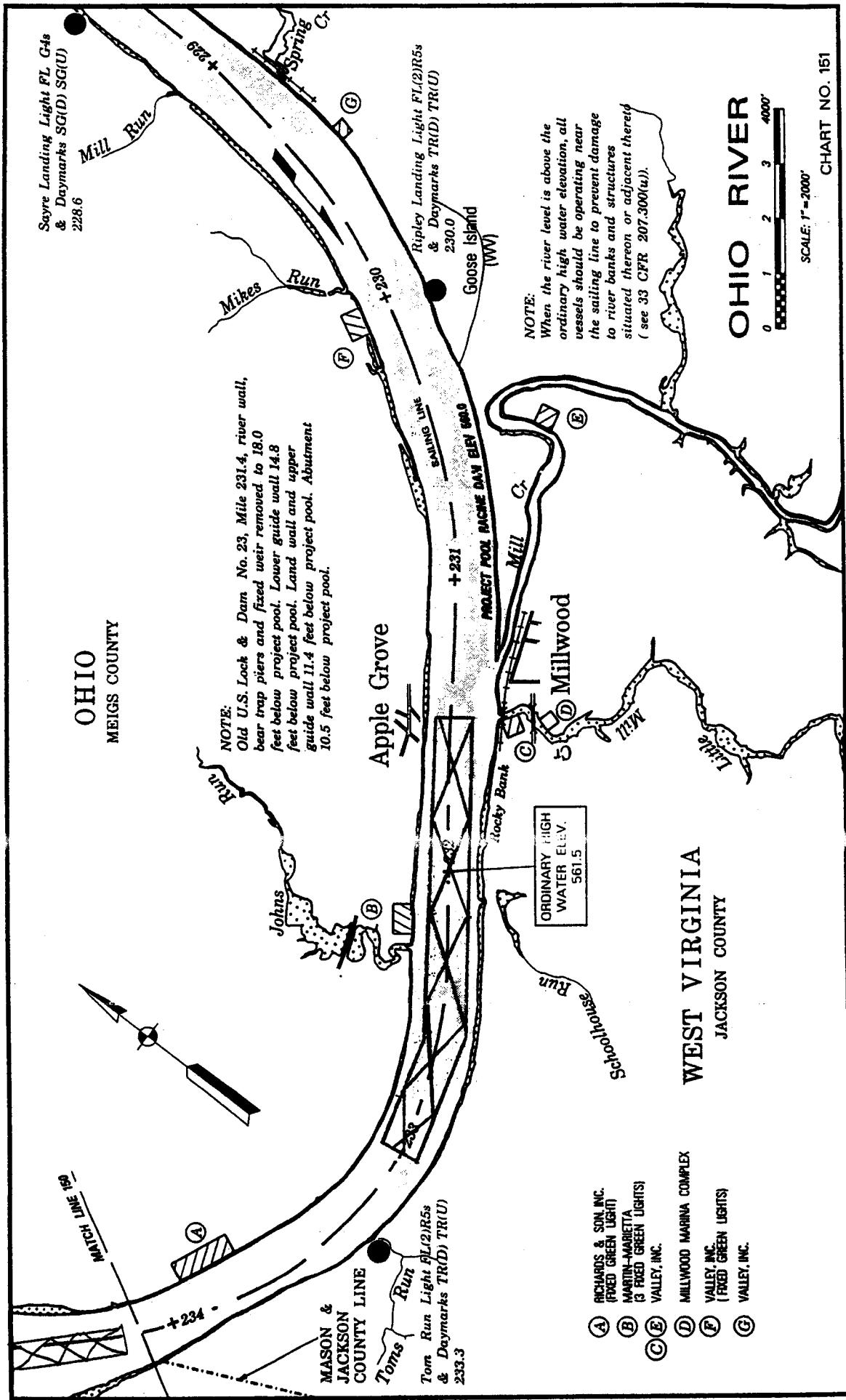
Martin Marietta Materials, Inc.  
RALEIGH, N.C.

## TYPICAL CROSS SECTION

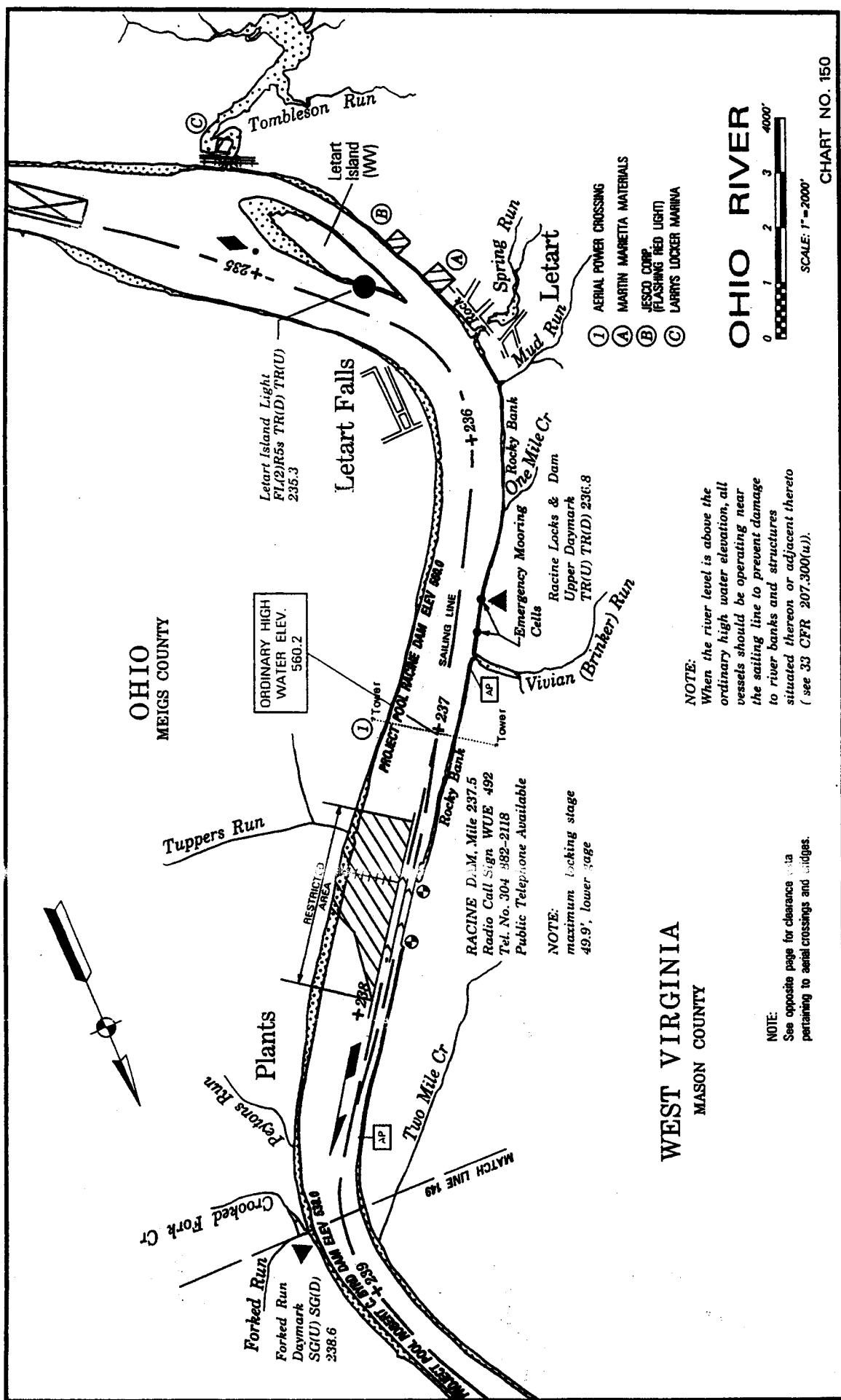
OHIO RIVER DREDGING PERMIT  
MP's 231.5 - 313.2

LOCATION: JOE LUCAS DREDGE  
DRAFT: 10' 0" DATE: 1/16/04 DPERM: 1  
CE. BY: M. Scott SCALE: 1" = 200' DPO. NO.: 1/9/13

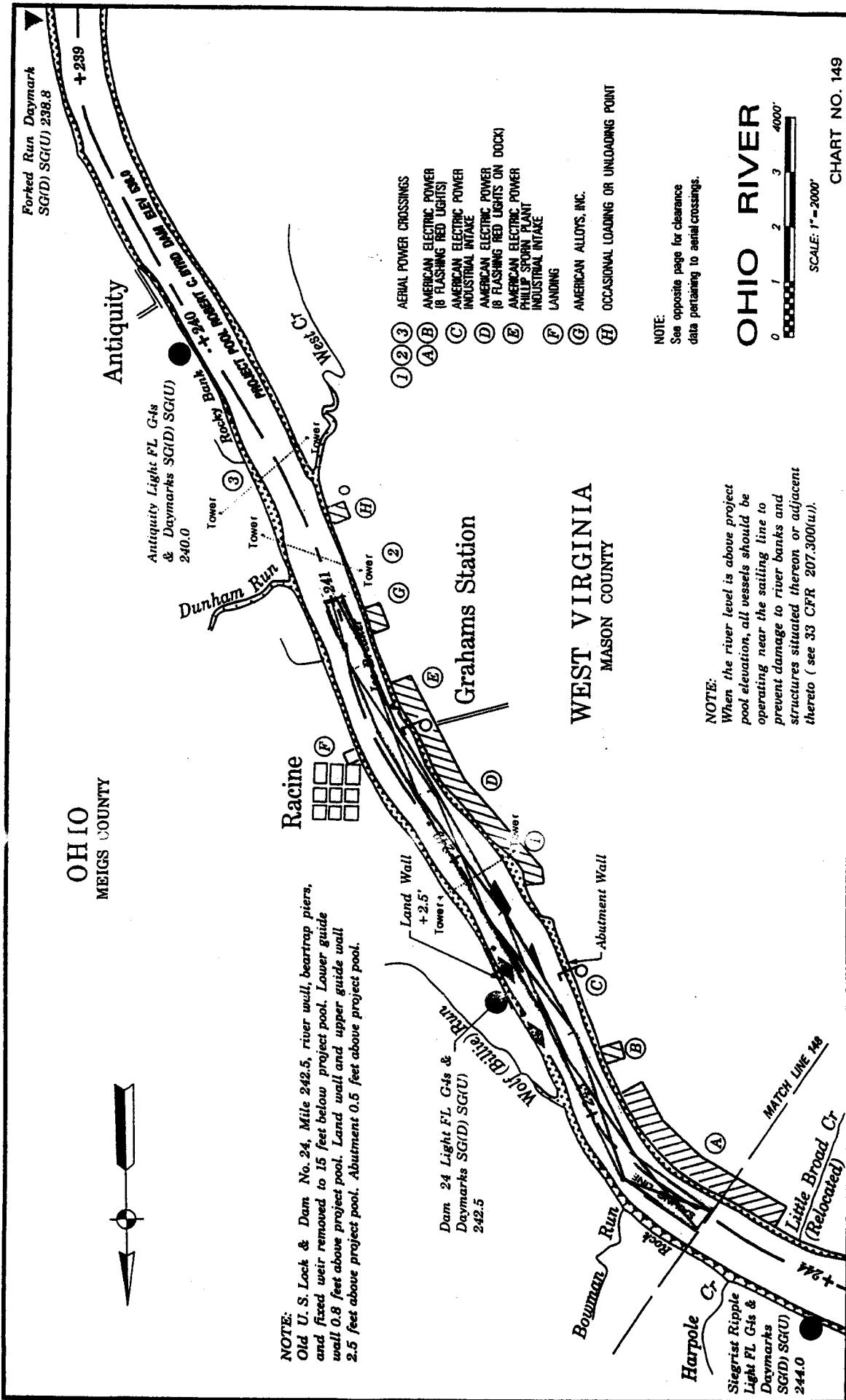
FILE NAME: Ohio River Cross Section					
1	2	3	4	5	6



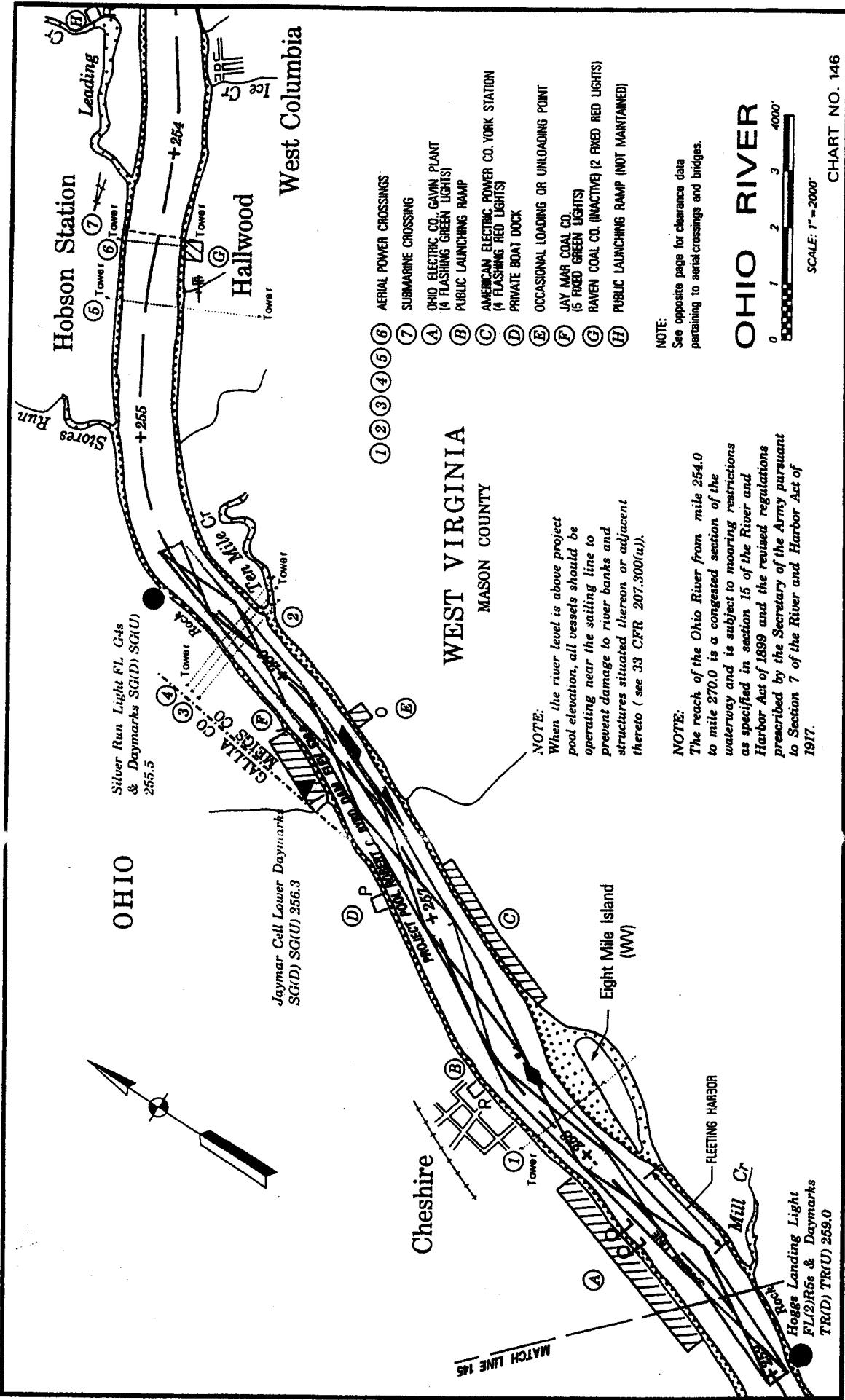
Martin Marietta Materials, Inc.  
Ohio River Dredging Permit  
Date: January 8, 2004  
Sheet 2 of 13



Martin Marietta Materials, Inc.  
Ohio River Dredging Permit  
Date: January 8, 2004  
Sheet 3 of 13

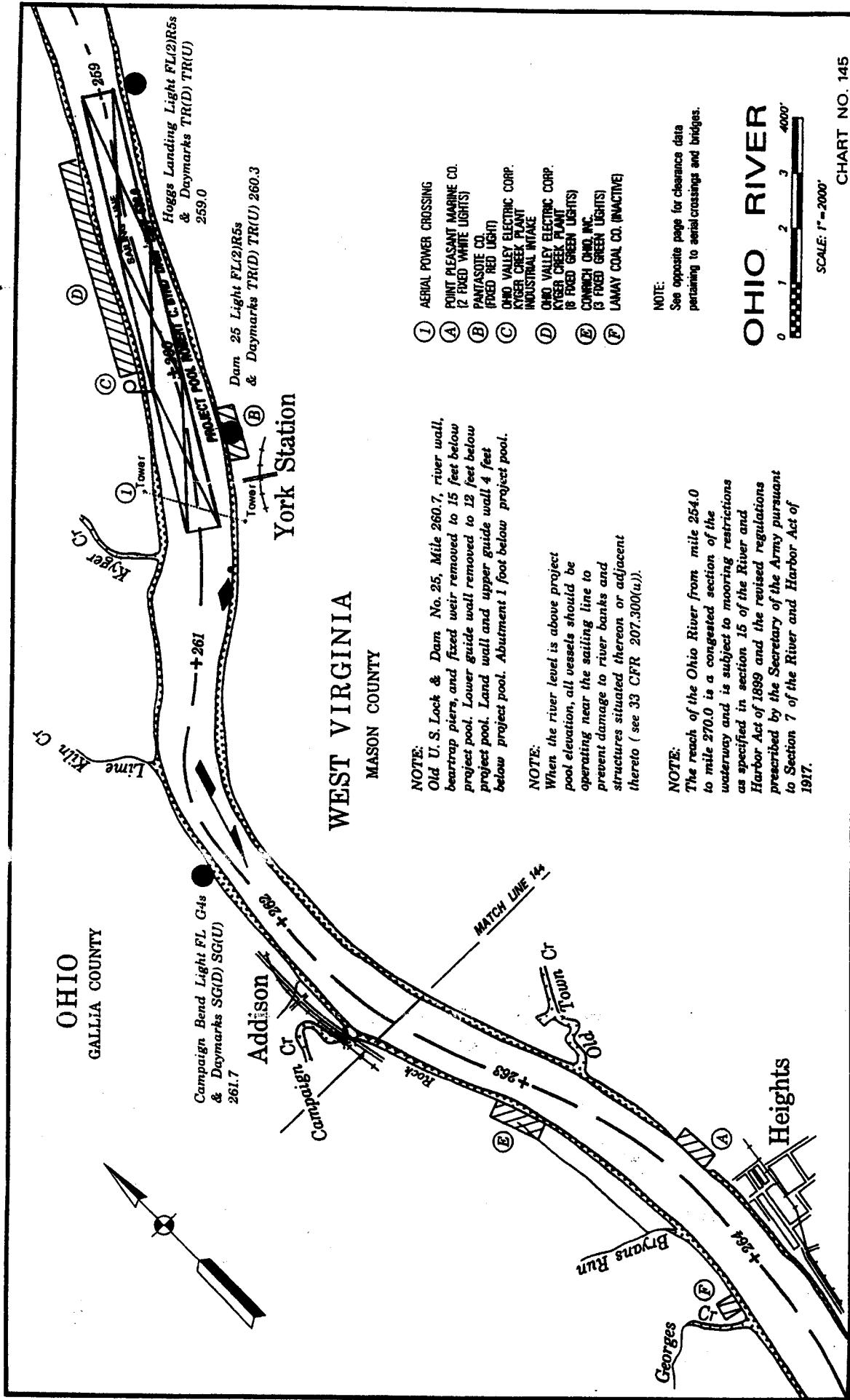


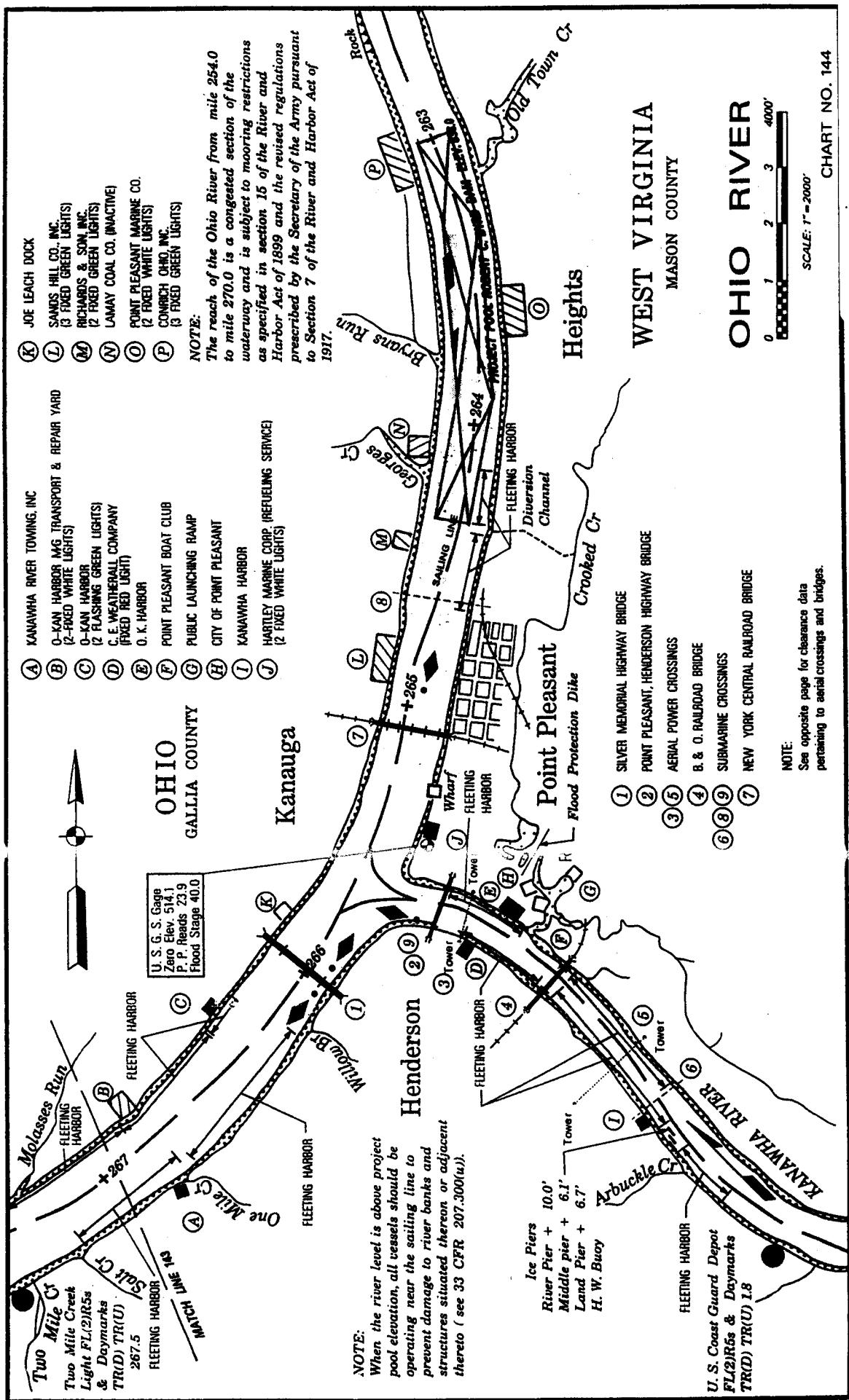
Martin Marietta Materials, Inc  
Ohio River Dredging Permit  
Date: January 8, 2004  
Sheet 4 of 13

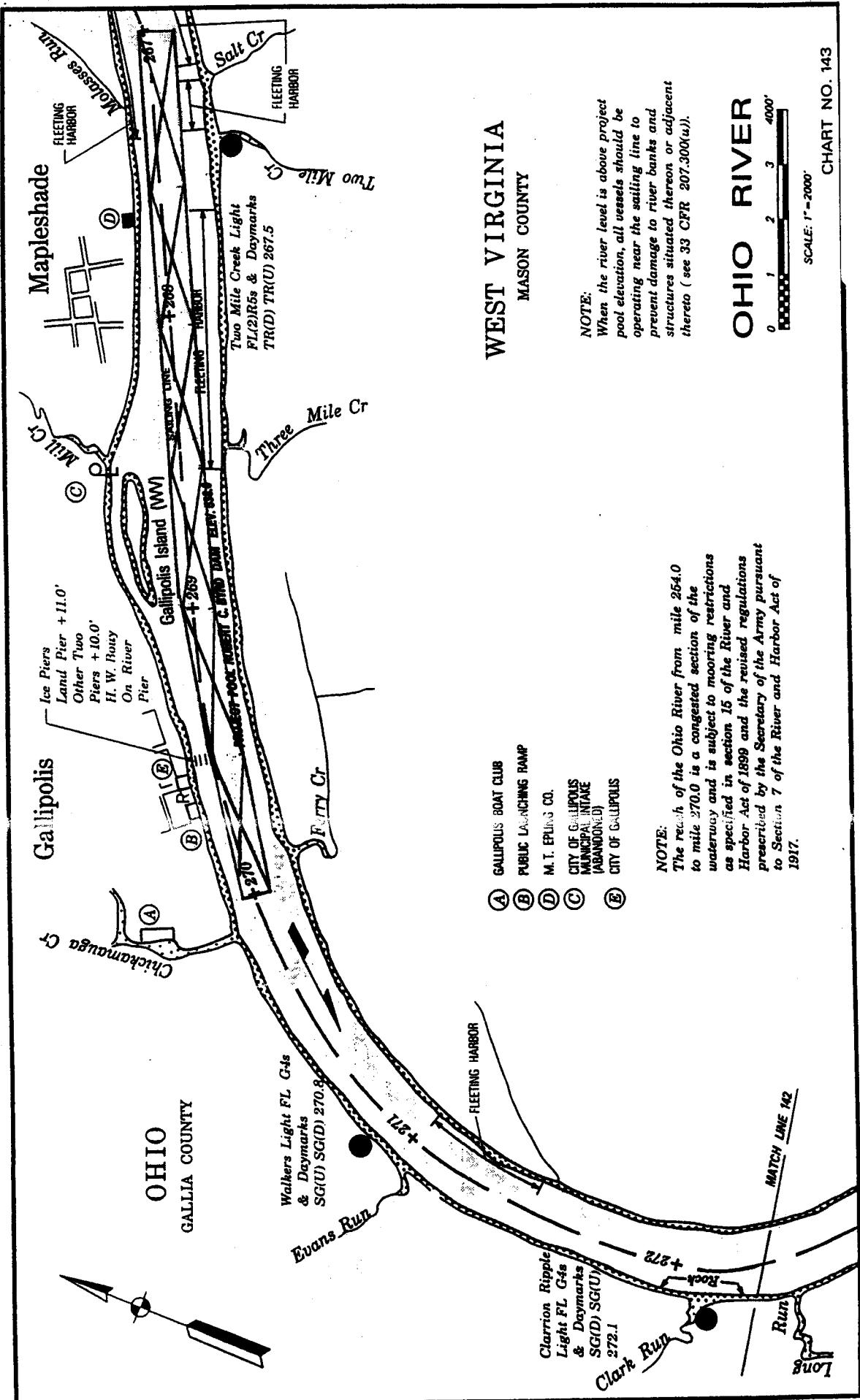


Martin Marietta Materials, Inc.  
Ohio River Dredging Permit  
Date: January 8, 2004  
Sheet 5 of 13

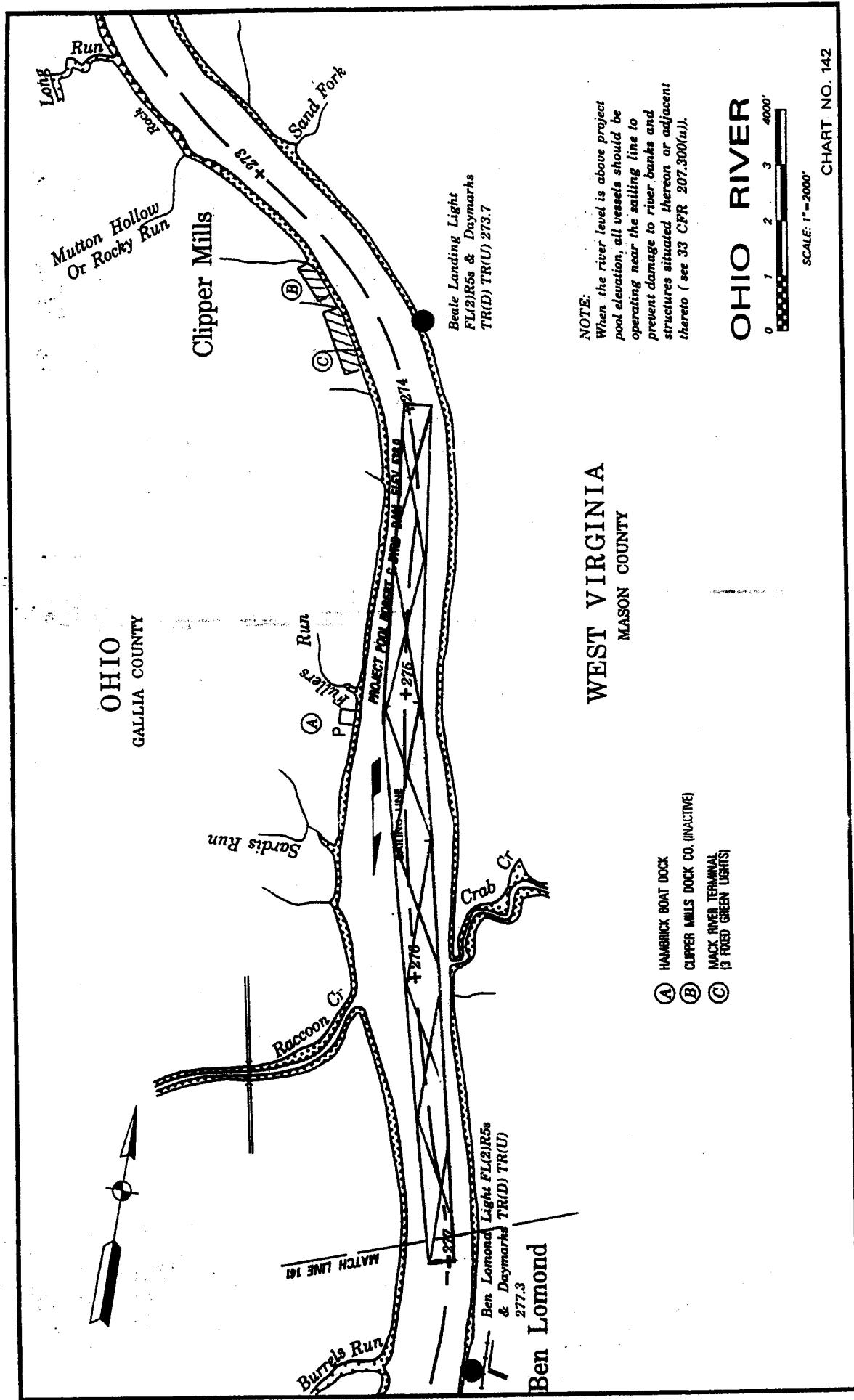
CHART NO. 146







Martin Marietta Materials, Inc.  
Ohio River Dredging Permit  
Date: January 8, 2004  
Sheet 8 of 13



Martin Marietta Materials, Inc.  
Ohio River Dredging Permit  
Date: January 8, 2004  
Sheet 9 of 13

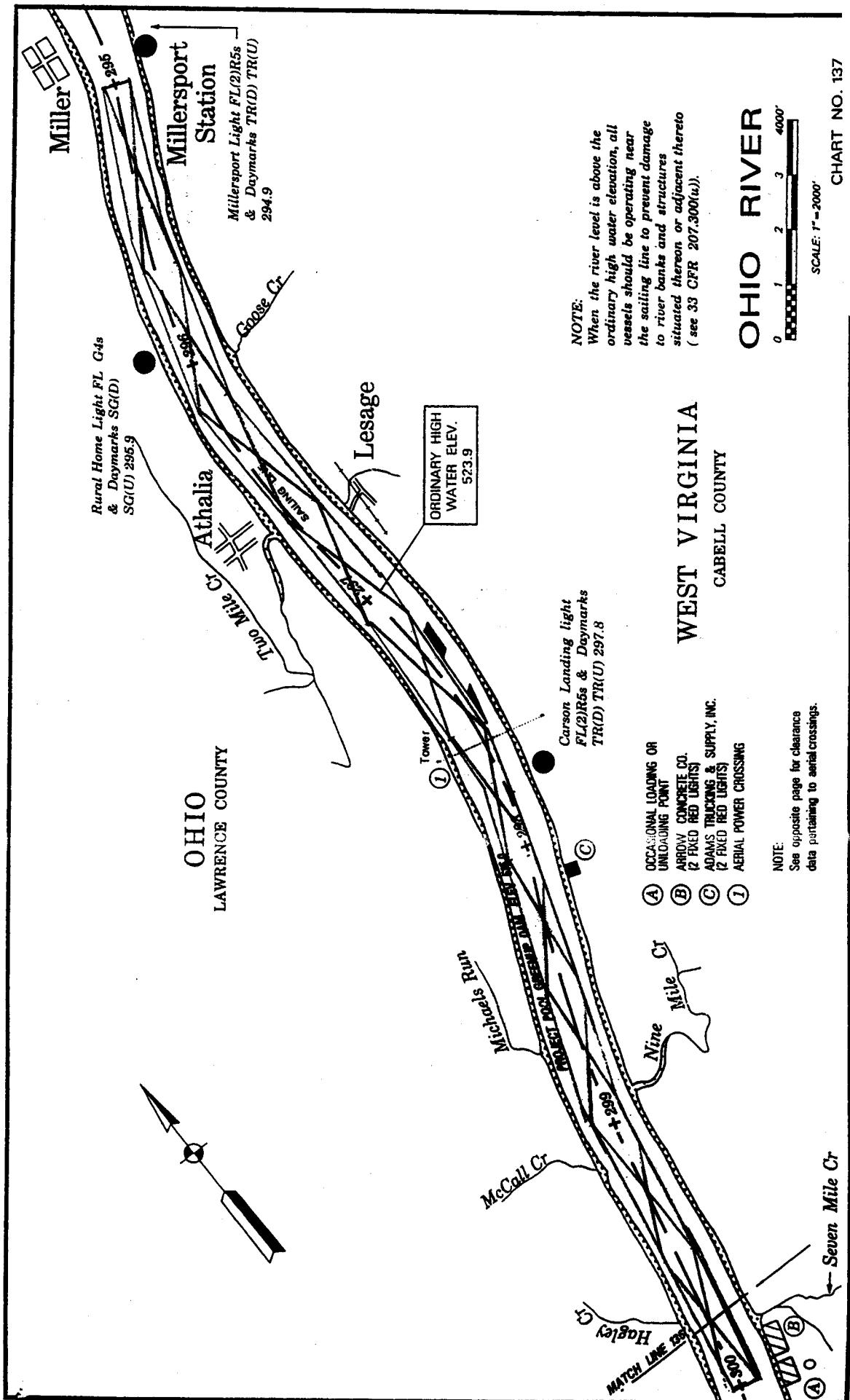


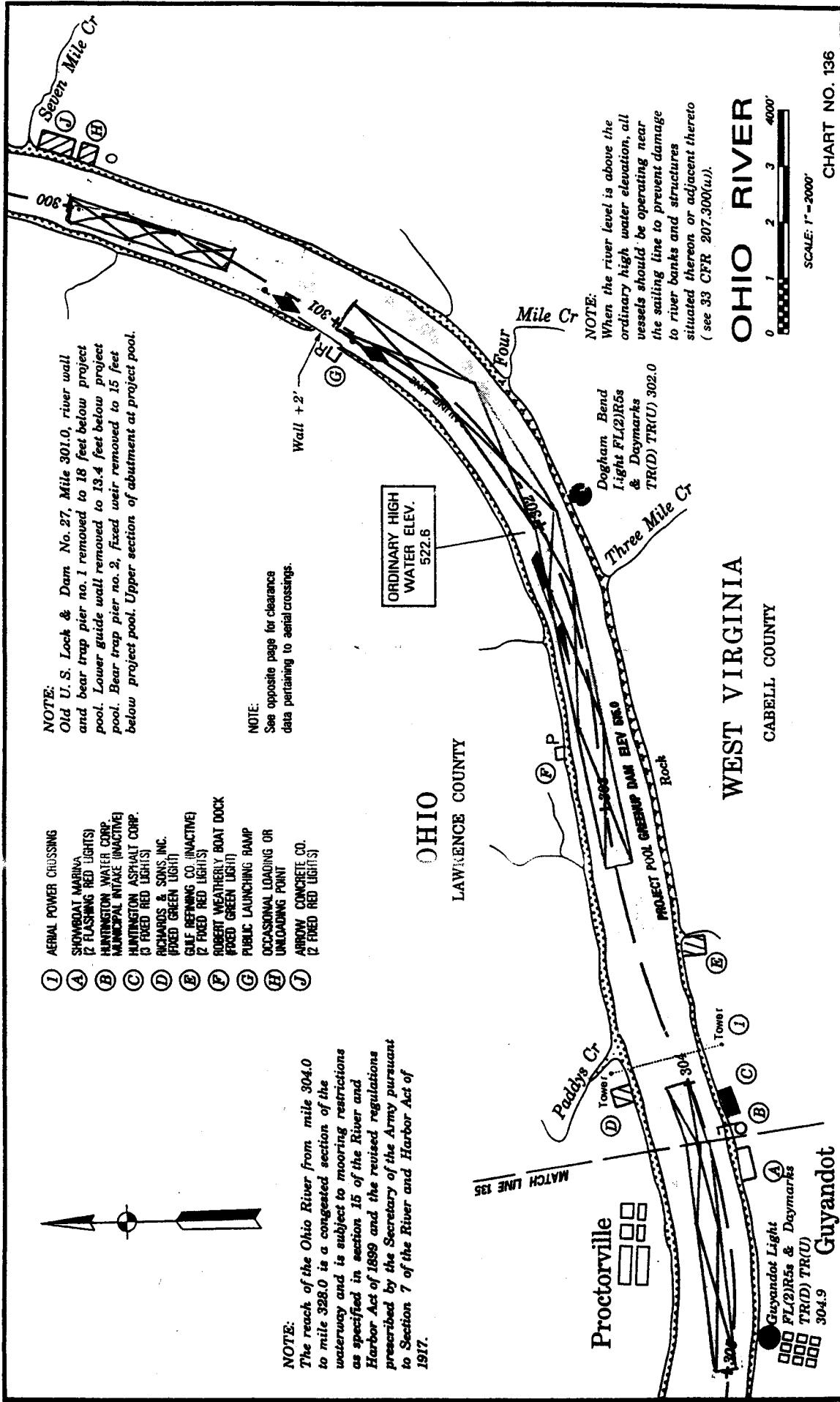
CHART NO. 137

Martin Marietta Materials, Inc.

Ohio River Dredging Permit

Date: January 8, 2004

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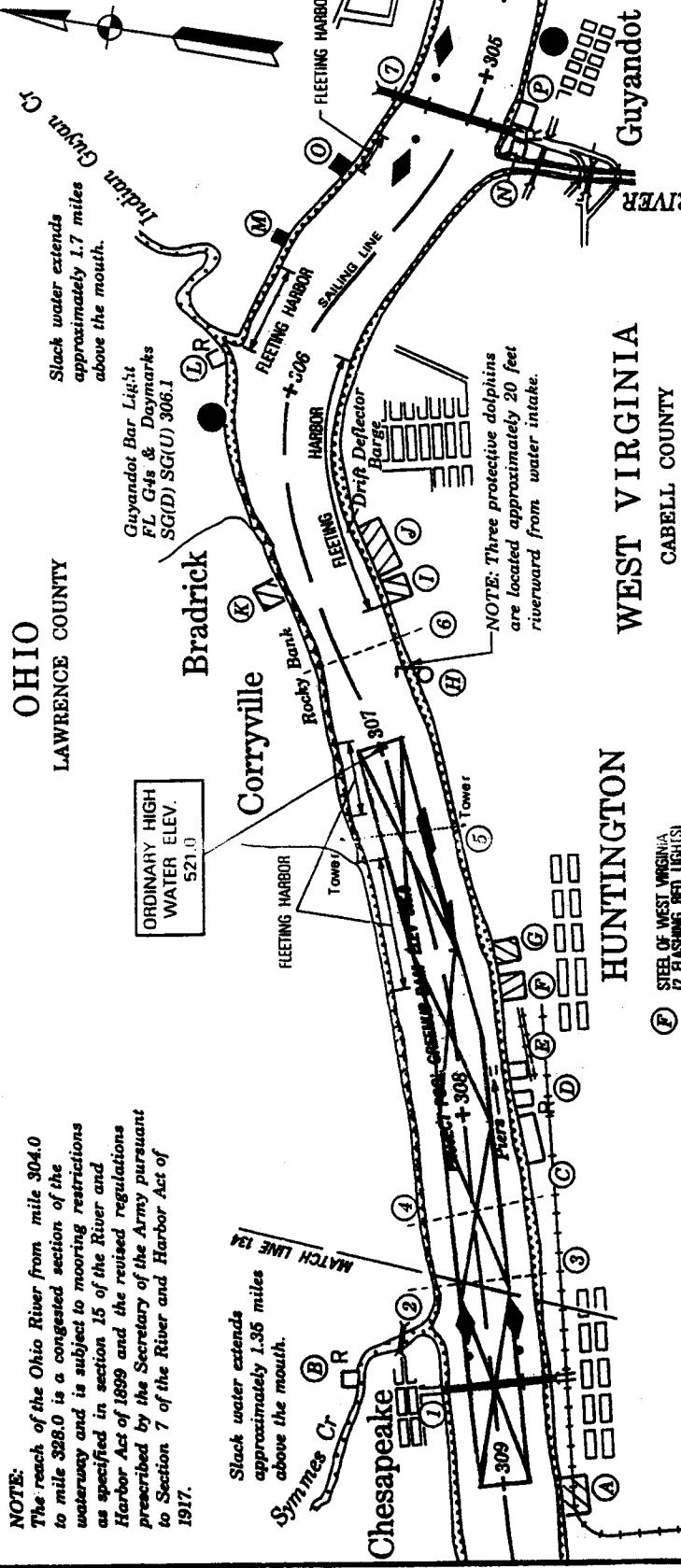


**NOTE:**  
The reach of the Ohio River from mile 304.0 to mile 328.0 is a congested section of the waterway and is subject to mooring restrictions as specified in section 15 of the River and Harbor Act of 1899 and the revised regulations prescribed by the Secretary of the Army pursuant to Section 7 of the River and Harbor Act of 1917.

## OHIO

LAWRENCE COUNTY

ORDINARY HIGH  
WATER ELEV.  
521.0



- (1) ROBERT C. BYRD BRIDGE
- (2) STATE ROUTE 7 HIGHWAY BRIDGE
- (3) (4) (6) SUBMARINE CROSSINGS
- (5) AERIAL POWER CROSSING
- (7) EAST HUNTINGTON HIGHWAY BRIDGE
- (8) HUNTINGTON RAIL & RIVER CORP.
- (9) PUBLIC LAUNCHING RAMP
- (C) HARRIS RIVERFRONT PARK
- (E) SOUTH SHORE MARINA

- (F) STEEL OF WEST VIRGINIA  
(2) FLASHING RED LIGHTS
- (G) EXON CO. (INACTIVE)  
(2) FIXED RED LIGHTS
- (H) HUNTINGTON WATER CORP.  
MANHOLE/PAL INTAKE
- (I) OHIO RIVER CO. (REPAIR) SHOP
- (J) OHIO RIVER CO. (TOPPLE)  
(4) FLASHING RED LIGHTS
- (K) WILSON MARINE REPAIR, INC.
- (L) RIVERSIDE TRUCKING CO. MARINE TERMINAL  
FLASHING GREEN LIGHT
- (M) ECONOMY BARGE REPAIR, INC.  
FLASHING GREEN LIGHT
- (N) GUYAN MARINA, INC.
- (O) SHOWBOAT MARINA (4) FIXED WHITE LIGHTS

## WEST VIRGINIA

CABELL COUNTY

NOTE:  
See Ohio River Tributary  
Chart No. 135A for  
Guyandot River.

NOTE:  
When the river level is above the ordinary high water elevation, all vessels should be operating near the sailing line to prevent damage to river banks and structures situated thereon or adjacent thereto (see 35 CFR 207.300(u)).

NOTE:  
See opposite page for clearance data pertaining to aerial crossings and bridges.

OHIO RIVER

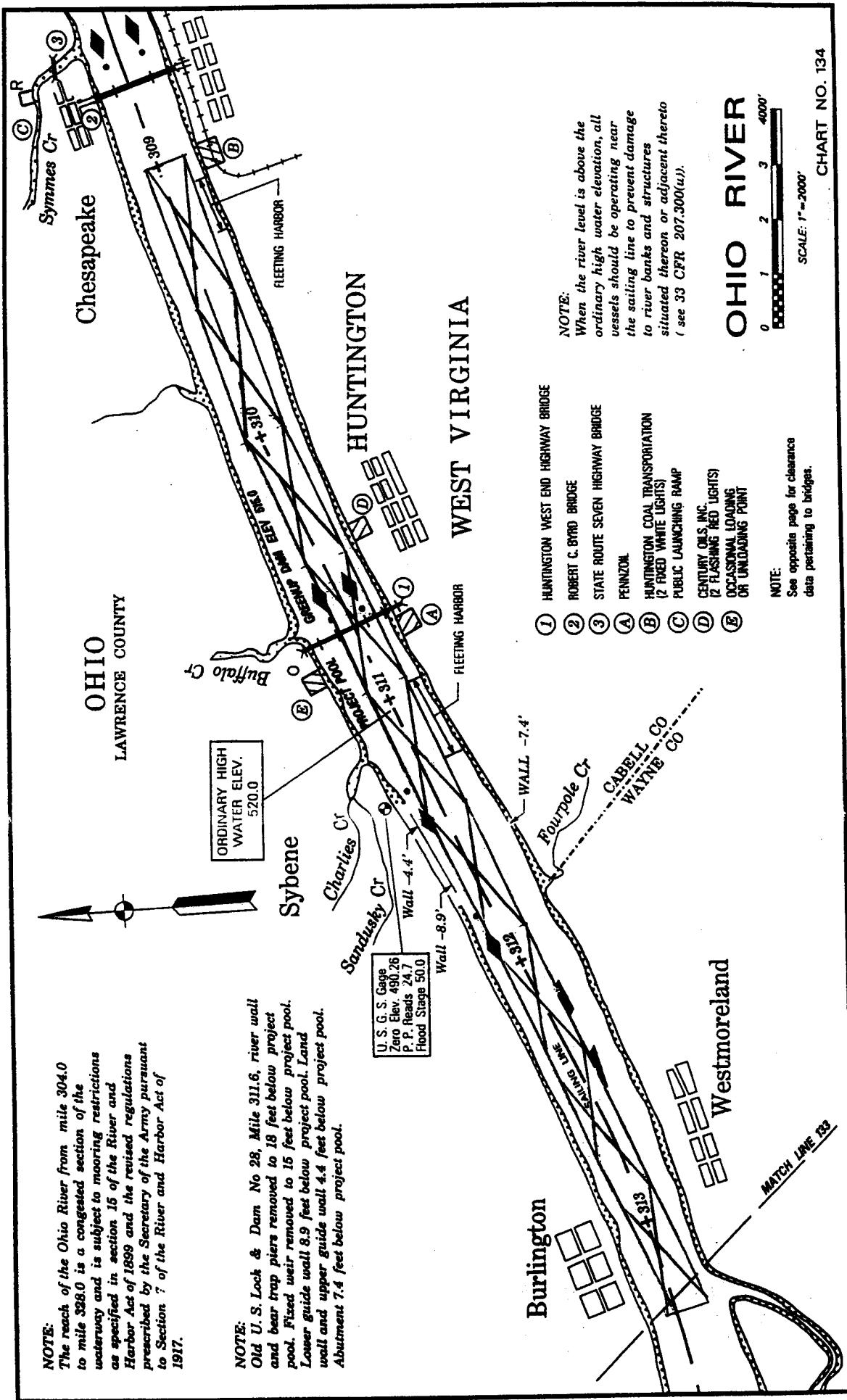
GUYANDOT Light  
FL(2)R5s &  
Daymarks TR(D) TR(U)

304.9

SCALE: 1" = 2000'

CHART NO. 135

Martin Marietta Materials, Inc.  
Ohio River Dredging Permit  
Date: January 8, 2004  
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Martin Marietta Materials, Inc.  
Ohio River Dredging Permit  
Date: January 8, 2004  
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